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INTERNAL OPERATIONS STANDING COMMITTEE

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Ms. Cindy Golden
Asst. City Council Committee Clerk

WEDNESDAY, SEPTEMBER 4, 2019

10:00 A.M.

- A. ROLL CALL**
- B. CHAIR REMARKS**
- C. APPROVAL OF MINUTES**
- D. 10:10 A.M. – PUBLIC HEARING – RE:** Proposed ordinance to codify, recodify, and continue the ordinances of the City of Detroit that are contained in the 1984 Detroit City Code; providing for repeal of certain ordinances not included therein; providing for the manner of enacting the 2019 Detroit City Code; and providing for the effective date of the 2019 Detroit City Code (**Law Department, City Clerk's office**)
- E. 10:20 A.M. – INTERVIEW – RE:** Appointment of Ashley Atkinson to the Detroit Land Bank Board. (**Ashley Atkinson**)
- F. 10:30 A.M. – INTERVIEW – RE:** Appointment of Mario Morrow, Sr. to the Board of Ethics. (**Mario Morrow, Sr.**)

UNFINISHED BUSINESS

1. Status of **Office of Contracting and Procurement Contract No. 6000554** - 100% City Funding – AMEND 5– To Add a New Legal Matter to Provide Legal Representation to the City of Detroit in Connection with the case Kennedy Shannon V. City of Detroit et. al. Wayne County Court no. 19-009435-CD. To also Provide Legal Representation for Concluding Negotiations Regarding a Proposed Consent Judgment between COD and MI Dept. of Environmental Quality relating to the Demolition Program, and any other matters as assigned by Corporation Counsel. – Contractor: Fink Bressack PLLC – Location: 535 Griswold, Ste. 1000, Detroit, MI 48226 – Contract Period: Upon City Council Approval through December 31, 2020 –Total Contract Amount: \$2,070,000.00 **LAW (This Amendment is to add additional cases, no additional funds are being added)**(CONTRACT HELD BY COUNCIL PRESIDENT PRO TEM MARY SHEFFIELD DURING THE RECESS PROCEDURE OF 8-13-19)
2. Status of **Office of Contracting and Procurement Contract No.6001522** - 100% City Funding – AMEND 2– To Provide Legal Services to the City in Connection with the Case of Davonte Sanford V. City of Detroit, Michael Russell, and James Tolbert U.S. District Court, E.D. MI No. 17-cv-13062; Lamarr Monson V. City of Detroit et al, U.S. District Court, E.D. MI. No. 18-cv-10638, and D'Marco Craft et al V. City of Detroit et al, U.S. District Court, E.D. MI No. 17-cv-12752, and such Litigation Matters as Determined by Corporation Counsel. – Contractor: Seward, Peck & Henderson – Location: 210 E. Third St., Ste. 212, Royal Oak, MI 48067 – Contract Period: July 26, 2019 through December 31, 2020 – Contract Increase: \$325,000.00 – Total Contract Amount: \$1,050,000.00 **LAW**(CONTRACT HELD BY COUNCIL PRESIDENT BREND A JONES DURING THE RECESS PROCEDURE OF 8-27-19)
3. Status of **Office of the Inspector General** submitting report relative to Appeal of OIG Investigation File Nos. 16-0071-INV and 18-0031-INV; Debarment Proceedings Against: Parimal Mehta, Jay Mehta, and FutureNet Group, Inc. **(BROUGHT BACK AS DIRECTED ON 7-17-19)**
4. Status of **Council President Brenda Jones** submitting memorandum relative to Variances. **(BROUGHT BACK AS DIRECTED ON 7-10-19)**
5. Status of **Council Member Scott Benson** submitting memorandum relative to Security Clearance Opinion. **(BROUGHT BACK AS DIRECTED ON 6-26-19)**
6. Status of **Legislative Policy Division** submitting memorandum relative to Proposed Amendments to the Executive Organization Plan **(BROUGHT BACK AS DIRECTED ON 3-27-19)**
7. Status of **Law Department, Department of Administrative Hearings and 36th District Court** working to create Municipal Civil Infraction Process. **(BROUGHT BACK AS DIRECTED ON 2-26-19)**

8. Status of **Council President Pro Tempore Mary Sheffield** submitting memorandum relative to Request for Draft Ordinance Landlord Tenant Voter Registration. **(BROUGHT BACK AS DIRECTED ON 10-10-18)**

NEW BUSINESS

MAYOR'S OFFICE

9. Submitting reso. autho. Appointment of Miranda Morrow-Bartell to the Detroit Land Bank Authority for a term beginning immediately and ending June 30, 2023. **(REFERRED TO THE INTERNAL OPERATIONS COMMITTEE ON 9-4-19)**

OFFICE OF CONTRACTING AND PROCUREMENT

Submitting the following **Office of Contracting and Procurement Contracts:**

10. Submitting reso. autho. **Contract No. 6000434** - 100% City Funding – AMEND 2 – To Provide Software Support for Work Brain. – Contractor: Infor Enterprise Applications LP and its Subsidiaries/Infor US – Location: 13560 Morris Rd., Ste. 4100, Alpharetta, GA 30004 – Contract Period: Upon City Council Approval through September 30, 2020 – Contract Increase: \$228,339.74 – Total Contract Amount: \$834,794.33 **DoIT (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

LAW DEPARTMENT

11. Submitting report relative to Emergency Procurement of Legal Services - City Ordinance 18-5-21 - Fink & Associates SCOPE ONLY. **(The Law Department has submitted privileged and confidential correspondence, dated July 22, 2019, regarding the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
12. Submitting report relative to MVA Settlements as authorized by resolution of the Detroit City Council. **(The Law Department has submitted a privileged and confidential memorandum regarding the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
13. Submitting report relative to Tax Collection Initiative on Foreclosed Properties as authorized by resolution of the Detroit City Council. **(The Law Department has submitted a privileged and confidential memorandum regarding the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
14. Submitting report relative to Emergency Procurement of Legal Services - City Ordinance 18-5-21 - Cummings, McClorey, Davis and Acho P.L.C. **(The Law Department has submitted privileged and confidential correspondence, dated August 22, 2019, regarding the above-referenced matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

15. Submitting reso. autho. **Settlement** in lawsuit of Williams, Jeffrey v COD, Case No.: 18-002618-NF; File No: L18-00140 (PH) in the amount of \$5,000 in full payment for any and all claims which Jeffrey Williams may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
16. Submitting reso. autho. **Settlement** in lawsuit of M1 Imaging (Phillip Gauley) v COD, Case No.: 19-146262; File No: L19-00166 (CBO) in the amount of \$3,260.00 in full payment for any and all claims which M1 Imaging may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about July 8, 2015. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
17. Submitting reso. autho. **Settlement** in lawsuit of Smith, James v COD, Case No.: 18-007484-NF; File No: L18-00438 (PH) in the amount of \$30,000.00 in full payment for any and all claims which M1 Imaging may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
18. Submitting reso. autho. **Settlement** in lawsuit of Associated Surgical Center (Ronald Pendleton) v COD, Case No.: 18-175045; File No: L18-00729 (PH) in the amount of \$6,000.00 in full payment for any and all claims which Associated Surgical Center, LLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about January 27, 2017. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
19. Submitting reso. autho. **Settlement** in lawsuit of Allen Rimson v COD, Case No.: 2:18-cv-12989; File No: L18-00655 (GBP) in the amount of \$4,000.00 in full payment for any and all claims which Allen Rimson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about April 18, 2018. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
20. Submitting reso. autho. **Settlement** in lawsuit of Lawrence Shipp v COD, Case No.: 18-006145-NI; File No: L18-00352 (GBP) in the amount of \$18,500.00 in full payment for any and all claims which Lawrence Shipp may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about July 27, 2017. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
21. Submitting reso. autho. **Settlement** in lawsuit of Elizabeth Wilson v Brooke Darcy and City of Detroit, Case No.: 18-013379-NI; File No: L18-00658 (MA) in the amount of \$28,000.00 in full payment for any and all claims which Elizabeth Wilson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

22. Submitting reso. autho. **Settlement** in lawsuit of Victor Stanley, Inc. v SCH Enterprises, Mark Pappas and COD, Case No.: 18-002944-CZ; File No: L19-00017 (CNR) in the amount of \$93,500.00 in full payment for any and all claims which Victor Stanley, Inc. may have against the City of Detroit and any other City of Detroit employees. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
23. Submitting reso. autho. **Settlement** in lawsuit of The Realty Company v COD, Case No.: 17-015291-CZ; File No: L17-00722 (CNR) in the amount of \$500,000.00 in full payment for any and all claims which The Realty Company may have against the City of Detroit and any other City of Detroit employees by reason of alleged claims set forth. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
24. Submitting reso. autho. **Rescind the Original Resolution, Adopt the amended resolution** in lawsuit of Felecia Cole v. City of Detroit, Department of Transportation, File #: 14914 (PSB) in the amount of \$70,510.00 in full payment for any and all claims which Felecia Cole may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
25. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of David Jackson vs City of Detroit; Civil Action Case No.: 18-013947-NO for Sgt. Justin Lyons. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
26. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of David Jackson vs City of Detroit; Civil Action Case No.: 18-013947-NO for PO James Pierce. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
27. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of David Jackson vs City of Detroit; Civil Action Case No.: 18-013947-NO for PO Wendell Smith. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
28. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of David Jackson vs City of Detroit; Civil Action Case No.: 18-013947-NO for PO Bradley Clark. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
29. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of David T. Jackson vs City of Detroit; Civil Action Case No.: 18-013947-NZ for CPL Julian Sage (retired). **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

30. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of David Jackson vs City of Detroit; Civil Action Case No.: 18-013947-NO for PO Fabio Buscemi. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
31. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Nazar Brikho, et al. vs City of Detroit; Civil Action Case No.: 19-10592 for PO Walter Merida. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
32. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Nazar Brikho, et al. vs City of Detroit; Civil Action Case No.: 19-10592 for PO Jana Greeno. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
33. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Travis Hailey, et al. vs City of Detroit; Case No.: 18-12651 for PO Stephen Kue. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
34. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Travis Hailey, et al. vs City of Detroit; Case No.: 18-12651 for PO Christopher Bush. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
35. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Travon Bivins vs City of Detroit; Civil Action Case No.: 18-cv-11863 for PO Brian Gibbings. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
36. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Justin Reid, et al. vs City of Detroit; Civil Action Case No.: 18-13681 for PO Gregory Tourville. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**
37. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Angell Cyars-Williams vs City of Detroit; Civil Action Case No.: 18-013365-NO for PO Thomas Skender. **(REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

BOARD OF ETHICS

38. Submitting report relative ot Request for Appointment – Atty. Carron L. Pinkins. **(For personal reasons, Atty. Carron L. Pinkins has withdrawn as an appointee to the Board of Ethics effective July 10, 2019. Attached is an email from Atty. Pinkins. The Board of Ethics request the City Council to appoint, expeditiously, a new member to this body before the end of the term. We greatly appreciate your prompt attention to**

this matter.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)

HUMAN RESOURCES DEPARTMENT/ADMINISTRATION

39. Submitting reso. autho. Request to Amend the Official Compensation Schedule. **(Recommendation is submitted to amend the 2019-2020 Official Compensation Schedule to include the following pay range, subject to City Council approval: Class Code: 22-20-55; Classification: Senior Data Quality Management Specialist; Salary Range: \$49,000 - \$68,800.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

HUMAN RESOURCES DEPARTMENT/BENEFITS

40. Submitting reso. autho. 2020 Medical, Dental and Vision Plan Rate Schedules for City of Detroit Employees. **(Medical, Dental and Vision companies that provide benefits to active City of Detroit employees and their eligible dependents have submitted rates to be in effect January 1, 2020. The Employees Benefit Plan Governing Board has examined these rates and certified them by Resolution. These rates are hereby submitted for final approval by your Honorable Body.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

HUMAN RESOURCES DEPARTMENT/LABOR RELATIONS DIVISION

41. Submitting reso. autho. Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees represented by the Michigan Building Trades Council. **(The Labor Relations Division is recommending your Honorable Body's official approval of the 2019 – 2023 Master Agreement between the City of Detroit and the Michigan Building Trades Council. The Master Agreement covers wages, hours and other basic conditions of employment from January 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

42. Submitting reso. autho. Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees represented by the Emergency Medical Service Officers Association. **(The Labor Relations Division is recommending your Honorable Body's official approval of the 2019 – 2023 Master Agreement between the City of Detroit and the Emergency Medical Service Officers Association. The Master Agreement covers wages, hours and other basic conditions of employment from January 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

43. Submitting reso. autho. Implementation of the 2019 – 2023 Labor Agreement between the City of Detroit and the employees represented by the D.D.O.T. Foremen's Association of America Local 337 (Non-Supervisory). **(The Labor Relations Division is recommending your Honorable Body's official approval of the 2019 – 2023 Master Agreement between the City of Detroit and the D.D.O.T. Foremen's Association of America Local 337 (Non-Supervisory). The Master Agreement covers wages, hours and other basic**

conditions of employment from January 1, 2019 through June 30, 2023. It has been signed by all parties concerned and meets with the approval of the Labor Relations Division.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)

OFFICE OF THE CITY CLERK

44. Submitting reso. autho. Petition of Motown Museum (#989), request a resolution from your Honorable Body in support of a Charitable Gaming License. **(Approval of this petition is recommended and an appropriate resolution is attached.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

OFFICE OF THE INSPECTOR GENERAL

45. Submitting report relative to City of Detroit Office of the Inspector General Notice of Interim Suspension of BBEK; OIG Investigative File No. 19-0028-INV. **(On July 23, 2019, the City of Detroit and the Detroit Land Bank Authority referred to our Office to investigate violation of MCL 338.3221 by BBEK. Specifically they alleged that BBEK, Green Way Environmental (Green Way) and HC Consultants are not independent companies as required by the Michigan Asbestos Abatement Contractors Licensing Act.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

46. Submitting report relative to City of Detroit Office of the Inspector General Notice of Interim Suspension of Green Way; OIG Investigative File No. 19-0028-INV. **(On July 23, 2019, the City of Detroit and the Detroit Land Bank Authority referred to our Office to investigate violation of MCL 338.3221 by Green Way. Specifically they alleged that BBEK Environmental (BBEK), Green Way Environmental (Green Way) and HC Consultants are not independent companies as required by the Michigan Asbestos Abatement Contractors Licensing Act.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

47. Submitting report relative to City of Detroit Office of the Inspector General Notice of Interim Suspension of HC Consultants; OIG Investigative File No. 19-0028-INV. **(On July 23, 2019, the City of Detroit and the Detroit Land Bank Authority referred to our Office to investigate violation of MCL 338.3221 by HC Consultants. Specifically they alleged that BBEK Environmental (BBEK), Green Way Environmental (Green Way) and HC Consultants are not independent companies as required by the Michigan Asbestos Abatement Contractors Licensing Act.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

LEGISLATIVE POLICY DIVISION

48. Submitting reso. autho. in opposition to Senate Bill 1171 / PA 368 of 2018 **(On January 9, 2019 the Honorable Council President Brenda Jones requested that the Legislative Policy Division draft a resolution in opposition of Senate Bill 1171 / Public Act 368 of 2018.) (REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19)**

49. Submitting reso. autho. in support of Michigan House Bill 4326 (**On March 12, 2019, the Honorable Council President Pro Tempore Mary Sheffield requested the Legislative Policy Division to draft a resolution in support of Michigan House Bioll 4326 of 2019.**) (**REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19**)
50. Submitting memorandum relative to Action Required on Mayor's Proposed Amendments to the Executive Organization Plan. (**The Mayor submitted a proposed amendment to the Executive Organization Plan (EOP), dates March 7, 2019, to "increase the number of Deputy Directors within the Buildings, Safety Engineering and Environmental Department from one to two, serving under the Director of the Department."** Section 7-102 of the Charter requires that City Council review the plan, conduct hearings on the Mayor's proposed amendment(s), and take action on it within sixty business days, or May 31, 2019.) (**REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19**)

MISCELLANEOUS

51. **Council President Pro Tem Mary Sheffield** submitting memorandum relative to Voting Precinct Relocation. (**REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE ON 9-4-19**)

G. PUBLIC COMMENT

- a. Member Reports
- b. General Public